

# HOUSE BILL No. 1593

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-36.1-2.

**Synopsis:** Practicing as a surgical technologist. Specifies individuals who may perform surgical technology functions in a health care facility setting. Requires health care facility employers to ensure that surgical technology employees meet specified conditions. Specifies qualifications for an operating room circulator.

**Effective:** July 1, 2009.

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**Moseley**

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January 16, 2009, read first time and referred to Committee on Public Health.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1593

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-36.1-2 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2009]:

4 **Chapter 2. Practicing Surgical Technology**

5 **Sec. 1. As used in this chapter, "health care facility" includes the**  
6 **following:**

7 (1) **A hospital:**

8 (A) **licensed under IC 16-21-2; or**

9 (B) **described in:**

10 (i) **IC 16-22; or**

11 (ii) **IC 16-23.**

12 (2) **An ambulatory outpatient surgical center licensed under**  
13 **IC 16-21-2.**

14 (3) **A birthing center licensed under IC 16-21-2.**

15 (4) **An abortion clinic licensed under IC 16-21-2.**

16 **Sec. 2. As used in this chapter, "operating room circulator"**  
17 **means an individual who is:**

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- (1) licensed as a registered nurse under IC 25-23;
- (2) educated, trained, and experienced in perioperative nursing; and
- (3) responsible for coordinating all nursing care, patient safety needs, and needs of the surgical team in the operating room during a surgical procedure.

**Sec. 3. As used in this chapter, "surgical technology" means intraoperative surgical patient care that involves the following:**

- (1) Preparing the operating room for surgical procedures by:
  - (A) ensuring that surgical equipment is functioning properly and safely; and
  - (B) preparing sterile supplies, instruments, and equipment using sterile technique.
- (2) Anticipating the needs of the surgical team based on knowledge of human anatomy and pathophysiology relating to the surgical patient and the patient's surgical procedure.
- (3) Performing tasks in an operating room setting in the sterile field, including the following:
  - (A) Passing supplies, equipment, or instruments.
  - (B) Suctioning or sponging an operative site.
  - (C) Preparing and cutting suture material.
  - (D) Transferring and irrigating with fluids.
  - (E) Transferring, without administering, drugs within the sterile field.
  - (F) Handling specimens.
  - (G) Holding retractors.
  - (H) Assisting in counting sponges, needles, supplies, and instruments with an operating room circulator as allowed under section 6 of this chapter.

**Sec. 4. This chapter does not prohibit a licensed practitioner from performing surgical technology functions if the practitioner is acting within the scope of the practitioner's license.**

**Sec. 5. (a) An individual may not practice surgical technology in a health care facility unless the individual meets one (1) of the following requirements:**

- (1) Is certified under IC 25-36.1-1.
- (2) Has completed a surgical technology program provided by the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or the commissioned corps of the United States Public Health Service.
- (3) Provides evidence that the individual was employed to practice surgical technology in a health care facility before

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July 1, 2009.

(4) Is performing duties related to the individual's employment by the federal government.

(5) Is practicing surgical technology during the twelve (12) month period immediately following the completion of a degree from an accredited school of surgical technology.

(b) An individual who is:

(1) described in subsection (a)(1), (a)(2), or (a)(3); and

(2) practicing surgical technology in a health care facility; annually shall complete fifteen (15) hours of continuing education concerning surgical technology in order to continue practicing surgical technology.

(c) A health care facility employer shall do the following:

(1) Verify that a surgical technology employee has:

(A) completed the employee's required continuing education under subsection (b); and

(B) maintained the employee's surgical technologist certification if the employee is described in subsection (a)(1).

(2) Supervise a surgical technology employee to ensure that the employee is performing:

(A) within the health care employer's policies and procedures; and

(B) competently.

Sec. 6. (a) An individual described in section 5(a) of this chapter may assist an operating room circulator in performing circulating duties if the individual:

(1) has the necessary education, training, and experience; and

(2) is:

(A) assigned to perform the tasks; and

(B) supervised;

by the operating room circulator.

(b) The operating room circulator shall be present in the operating room for the duration of the surgical procedure unless the surgery takes place in a critical access hospital, as defined by federal law.

Sec. 7. The state department of health shall administer this chapter.

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